



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 1311

2 AMENDMENT NO. _____. Amend Senate Bill 1311, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 2, on page 93, immediately below line 8, by inserting the
5 following:

6 "Section 25. The School Code is amended by changing Section
7 27A-7.5 as follows:

8 (105 ILCS 5/27A-7.5)

9 Sec. 27A-7.5. State Charter School Commission.

10 (a) A State Charter School Commission is established as an
11 independent State agency with statewide chartering
12 jurisdiction and authority.

13 (b) The Commission is responsible for authorizing
14 high-quality charter schools throughout this State,
15 particularly schools designed to expand opportunities for
16 at-risk students, consistent with the purposes of this Article.

1 (c) The Commission shall consist of 9 members, appointed by
2 the State Board. The State Board shall make these appointments
3 from a slate of candidates proposed by the Governor, within 60
4 days after the effective date of this amendatory Act of the
5 97th General Assembly with respect to the initial Commission
6 members. In making the appointments, the State Board shall
7 ensure statewide geographic diversity among Commission
8 members. The Governor shall propose a slate of candidates to
9 the State Board within 60 days after the effective date of this
10 amendatory Act of the 97th General Assembly and 60 days prior
11 to the expiration of the term of a member thereafter. If the
12 Governor fails to timely propose a slate of candidates
13 according to the provisions of this subsection (c), then the
14 State Board may appoint the member or members of the
15 Commission.

16 (d) Members appointed to the Commission shall collectively
17 possess strong experience and expertise in public and nonprofit
18 governance, management and finance, public school leadership,
19 higher education, assessments, curriculum and instruction, and
20 public education law. All members of the Commission shall have
21 demonstrated understanding of and a commitment to public
22 education, including without limitation charter schooling. At
23 least 3 members must have past experience with urban charter
24 schools.

25 (e) To establish staggered terms of office, the initial
26 term of office for 3 Commission members shall be 4 years and

1 thereafter shall be 4 years; the initial term of office for
2 another 3 members shall be 3 years and thereafter shall be 4
3 years; and the initial term of office for the remaining 3
4 members shall be 2 years and thereafter shall be 4 years. The
5 initial appointments must be made no later than October 1,
6 2011.

7 (f) Whenever a vacancy on the Commission exists, the State
8 Board shall appoint a member for the remaining portion of the
9 term.

10 (g) Subject to the State Officials and Employees Ethics
11 Act, the Commission is authorized to receive and expend gifts,
12 grants, and donations of any kind from any public or private
13 entity to carry out the purposes of this Article, subject to
14 the terms and conditions under which they are given, provided
15 that all such terms and conditions are permissible under law.
16 Funds received under this subsection (g) must be deposited into
17 the State Charter School Commission Fund.

18 The State Charter School Commission Fund is created as a
19 special fund in the State treasury. All money in the Fund shall
20 be used, subject to appropriation, by the Commission for
21 operational and administrative costs of the Commission.

22 Subject to appropriation, any funds appropriated for use by
23 the State Charter School Commission may be used for the
24 following purposes, without limitation: personal services,
25 contractual services, and other operational and administrative
26 costs. The State Charter School Commission is further

1 authorized to make expenditures with respect to any other
2 amounts deposited in accordance with law into the State Charter
3 School Commission Fund.

4 (h) The Commission shall operate with dedicated resources
5 and staff qualified to execute the day-to-day responsibilities
6 of charter school authorizing in accordance with this Article.

7 (i) Every 2 years, the Commission shall provide to the
8 State Board and local school boards a report on best practices
9 in charter school authorizing, including without limitation
10 evaluating applications, oversight of charters, and renewal of
11 charter schools.

12 (j) The Commission may charge a charter school that it
13 authorizes a fee, not to exceed 3% of the revenue provided to
14 the school, to cover the cost of undertaking the ongoing
15 administrative responsibilities of the eligible chartering
16 authority with respect to the school. This fee must be
17 deposited into the State Charter School Commission Fund.

18 (k) Any charter school authorized by the State Board prior
19 to this amendatory Act of the 97th General Assembly shall have
20 its authorization transferred to the Commission upon a vote of
21 the State Board, which shall then become the school's
22 authorizer for all purposes under this Article. However, in no
23 case shall such transfer take place later than July 1, 2012. At
24 this time, all of the powers, duties, assets, liabilities,
25 contracts, property, records, and pending business of the State
26 Board as the school's authorizer must be transferred to the

1 Commission. Any charter school authorized by a local school
2 board or boards may seek transfer of authorization to the
3 Commission during its current term only with the approval of
4 the local school board or boards. At the end of its charter
5 term, a charter school authorized by a local school board or
6 boards must reapply to the board or boards before it may apply
7 for authorization to the Commission under the terms of this
8 amendatory Act of the 97th General Assembly.

9 On the effective date of this amendatory Act of the 97th
10 General Assembly, all rules of the State Board applicable to
11 matters falling within the responsibility of the Commission
12 shall be applicable to the actions of the Commission. The
13 Commission shall thereafter have the authority to propose to
14 the State Board modifications to all rules applicable to
15 matters falling within the responsibility of the Commission.
16 The State Board shall retain rulemaking authority for the
17 Commission, but shall work jointly with the Commission on any
18 proposed modifications. Upon recommendation of proposed rule
19 modifications by the Commission and pursuant to the Illinois
20 Administrative Procedure Act, the State Board shall consider
21 such changes within the intent of this amendatory Act of the
22 97th General Assembly and grant any and all changes consistent
23 with that intent.

24 (1) The Commission shall have the responsibility to
25 consider appeals under this Article immediately upon
26 appointment of the initial members of the Commission under

1 subsection (c) of this Section. Appeals pending at the time of
2 initial appointment shall be determined by the Commission; the
3 Commission may extend the time for review as necessary for
4 thorough review, but in no case shall the extension exceed the
5 time that would have been available had the appeal been
6 submitted to the Commission on the date of appointment of its
7 initial members. In any appeal filed with the Commission under
8 this Article, both the applicant and the school district in
9 which the charter school plans to locate shall have the right
10 to request a hearing before the Commission. If more than one
11 entity requests a hearing, then the Commission may hold only
12 one hearing, wherein the applicant and the school district
13 shall have an equal opportunity to present their respective
14 positions.

15 (Source: P.A. 97-152, eff. 7-20-11.)

16 Section 30. The State's Attorneys Appellate Prosecutor's
17 Act is amended by changing Section 4.10 as follows:

18 (725 ILCS 210/4.10) (from Ch. 14, par. 204.10)

19 Sec. 4.10. The Office may conduct and charge tuition for
20 training programs for State's Attorneys, Assistant State's
21 Attorneys and other law enforcement officers. The Office shall
22 conduct training programs and provide technical trial
23 assistance for Illinois State's Attorneys, Assistant State's
24 Attorneys, ~~state's attorneys, assistant state's attorneys~~ and

1 law enforcement officers on: (1) constitutional, statutory,
2 and case law issues; (2) forensic evidence; (3) prosecutorial
3 ethics and professional responsibility; and (4) a continuum of
4 trial advocacy techniques and methods, including an emphasis on
5 the elimination of or reduction in ~~of eliminating or reducing~~
6 the trauma of testifying in criminal proceedings for vulnerable
7 populations including seniors, disabled persons, and children
8 who serve as witnesses in such proceedings. The Office may make
9 grants for these purposes. In addition, the Office may publish,
10 disseminate and sell publications and newsletters which digest
11 current Appellate and Supreme Court cases and legislative
12 developments of importance to prosecutors and law enforcement
13 officials. The moneys collected by the Office from the programs
14 and publications provided for in this Section shall be
15 deposited in the Continuing Legal Education Trust Fund, which
16 special fund is hereby created in the State Treasury. In
17 addition, such appropriations, gifts or grants of money as the
18 Office may secure from any public or private source for the
19 purposes described in this Section shall be deposited in the
20 Continuing Legal Education Trust Fund. The General Assembly
21 shall make appropriations from the Continuing Legal Education
22 Trust Fund for the expenses of the Office incident to
23 conducting the programs and publishing the materials provided
24 for in this Section.

25 (Source: P.A. 84-1340.)".